



# Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Agenda - Final-revised

### City Council

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Tuesday, April 26, 2016

11:30 AM

Council Chambers

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**Public Notice - - THE USE OF CELLULAR PHONES AND SOUND ACTIVATED PAGERS ARE PROHIBITED IN THE CITY COUNCIL CHAMBERS DURING MEETINGS OF THE CITY COUNCIL.**

*Members of the audience will be provided an opportunity to address the Council at approximately 12:00 p.m., or the end of the Council Meeting, whichever is earlier. Please speak into the microphone located at the podium and state your name and address. Your presentation will be limited to three minutes. If you have a petition or other information pertaining to your subject, please present it to the City Secretary.*

*Si Usted desea dirigirse al Concilio y cree que su inglés es limitado, habrá un intérprete inglés-español en todas las juntas del Concilio para ayudarle.*

*Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the City Secretary's office (at 361-826-3105) at least 48 hours in advance so that appropriate arrangements can be made.*

- A. Mayor Nelda Martinez to call the meeting to order.**
- B. Invocation to be given by Pastor David Bendett, Rock City Church.**
- C. Pledge of Allegiance to the Flag of the United States to be led by Jim Davis, Director of Fleet Operations.**
- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**
- E. Proclamations / Commendations:**
  - 1. [16-0467](#) Proclamation declaring April 29, 2016, "Corpus Christi American Federation of Teachers Day".  
Proclamation declaring May 5, 2016, "2016 Cinco de Mayo Celebration Day".  
Proclamation declaring May 14, 2016, "Lemonade Day Corpus Christi".  
Proclamation declaring May 1-7, 2016, "Children's Mental Health Awareness Week".  
Proclamation declaring May 1-7, 2016, "National Small Business Week".  
Commendation for Aislynn Campbell, Recipient of Farm Credit's 100 Fresh Perspectives Program.  
Swearing-in Ceremony for Newly Appointed Board, Commission and Committee Members.

- F. PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 12:00 P.M. PLEASE LIMIT PRESENTATIONS TO THREE MINUTES. A recording is made of the meeting; therefore, please speak into the microphone located at the podium and state your name and address. If you choose to speak during this public comment period regarding an item on the agenda, you may do so. You will not be allowed to speak again, however, when the Council is considering the item. If you have a petition or other information pertaining to your subject, please present it to the City Secretary.

PLEASE BE ADVISED THAT THE OPEN MEETINGS ACT PROHIBITS THE CITY COUNCIL FROM RESPONDING AND DISCUSSING YOUR COMMENTS AT LENGTH. THE LAW ONLY AUTHORIZES THEM TO DO THE FOLLOWING:

1. MAKE A STATEMENT OF FACTUAL INFORMATION.
2. RECITE AN EXISTING POLICY IN RESPONSE TO THE INQUIRY.
3. ADVISE THE CITIZEN THAT THIS SUBJECT WILL BE PLACED ON AN AGENDA AT A LATER DATE.

PER CITY COUNCIL POLICY, NO COUNCIL MEMBER, STAFF PERSON, OR MEMBERS OF THE AUDIENCE SHALL BERATE, EMBARRASS, ACCUSE, OR SHOW ANY PERSONAL DISRESPECT FOR ANY MEMBER OF THE STAFF, COUNCIL MEMBERS, OR THE PUBLIC AT ANY COUNCIL MEETING. THIS POLICY IS NOT MEANT TO RESTRAIN A CITIZEN'S FIRST AMENDMENT RIGHTS.

G. **BRIEFINGS: (ITEM 2)**

*Briefing information will be provided to the City Council during the Council meeting. Briefings are for Council information only. Council may give direction to the City Manager, but no other action will be taken and no public comment will be solicited.*

2. [16-0468](#) **\*\*This item will be presented at approximately 1:30\*\***

**Discovery / Discuss - Transportation Network Company Ordinance  
Reconsideration**

**Sponsors:** Assistant City Manager

H. **CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:**

- a. OTHER

I. **MINUTES:**

3. [16-0466](#) Special and Regular Meetings of April 19, 2016

J. **BOARD & COMMITTEE APPOINTMENTS: (NONE)**

**K. EXPLANATION OF COUNCIL ACTION:**

*For administrative convenience, certain of the agenda items are listed as motions, resolutions, or ordinances. If deemed appropriate, the City Council will use a different method of adoption from the one listed; may finally pass an ordinance by adopting it as an emergency measure rather than a two reading ordinance; or may modify the action specified. A motion to reconsider may be made at this meeting of a vote at the last regular, or a subsequent special meeting; such agendas are incorporated herein for reconsideration and action on any reconsidered item.*

**L. CONSENT AGENDA: (ITEMS 4 - 12)**

*NOTICE TO THE PUBLIC: The following items are consent motions, resolutions, and ordinances of a routine or administrative nature. The Council has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Council Member or a citizen, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.*

4. [16-0392](#) **Resolution approving a Developer Participation Agreement to reimburse developer for the City's cost to extend North Oso Parkway located east of Ennis Joslin Road, south of Holly Road, and north of Wooldridge Road.**

Resolution authorizing the City Manager or designee to execute a developer participation agreement with MPM Development, L.P., ("Developer"), to reimburse the Developer up to \$499,302.42 for the City's share of the cost to extend North Oso Parkway, in accordance with the Unified Development Code.

**Sponsors:** Development Services

5. [16-0047](#) **Authorizing a Service Agreement for Closed Circuit Televised Inspection of Small-Diameter Wastewater Lines**

Motion authorizing the City Manager, or designee, to enter into a service agreement for Closed Circuit Televised Inspection of Small-Diameter Wastewater Lines with Ace Pipe Cleaning of Kansas City, Missouri in accordance with Bid Event No. 90, based on lowest responsive, responsible bid, for an estimated annual expenditure of \$1,908,132.00. Funds have been budgeted by the Wastewater Department in FY 2015-2016.

**Sponsors:** Water Utilities Department and Purchasing Division

6. [16-0375](#) **Second Reading Ordinance - Rezoning property located at 5246 Lexington Road (1st Reading 4/19/16)**

Case No. 0316-01 May Dev., LP: A change of zoning from the "RM-1" Multifamily 1 District to the "CG-2" General Commercial District. The property is described as Lot 6, Block 1, Bridgepoint Landing, located

along the east side of Lexington Road approximately 490 feet south of South Padre Island Drive (SH 358).

Planning Commission and Staff Recommendation (March 23, 2016):  
Approval of the change of zoning from the "RM-1" Multifamily 1 District to the "CG-2" General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by May Dev., LP ("Owner"), by changing the UDC Zoning Map in reference to Lot 6, Block 1, Bridgepoint Landing, from the "RM-1" Multifamily 1 District to the "CG-2" General Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

7.      [16-0376](#)      **Second Reading Ordinance - Rezoning property located at 14806 Leeward Drive (1st Reading 4/19/16)**

Case No. 0316-03 Ocean Harbor II, LLC: A change of zoning from the "RM-AT/IO" Multifamily AT District with an Island Overlay to the "RS-TH/IO/PUD" Townhouse District with an Island Overlay and Planned Unit Development Overlay. The property is described as Lots 22, 23, and 24, Block 52, Padre Island-Corpus Christi Section B, located on the southeast corner of Leeward Drive and St. Bartholomew Avenue.

Planning Commission and Staff Recommendation (March 23, 2016):  
Approval of the change of zoning from the "RM-AT/IO" Multifamily AT District with an Island Overlay to the "RS-TH/IO/PUD" Townhouse District with an Island Overlay and Planned Unit Development Overlay with ten conditions.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Ocean Harbor II, LLC ("Owner"), by changing the UDC Zoning Map in reference to Lots 22, 23, and 24, Block 52, Padre Island-Corpus Christi Section B, from the "RM-AT/IO" Multifamily AT District with an Island Overlay to the "RS-TH/IO/PUD" Townhouse District with an Island Overlay and Planned Unit Development Overlay; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Sponsors: Development Services

8.      [16-0414](#)      **Second Reading Ordinance - Accepting and appropriating the Click It Or Ticket program grant within the Police Department (1st Reading 4/19/16)**

Ordinance authorizing the City Manager or designee to execute all

documents necessary to accept a grant in the amount of \$16,987.31 from the State of Texas, Department of Transportation for the FY2016 Click It Or Ticket program grant; and appropriating the \$16,987.31 in the No. 1061 Police Grants Fund

**Sponsors:** Police Department

9.        [16-0389](#)        **Second Reading Ordinance - Accepting and appropriating the Houston High Intensity Drug Trafficking Area (HIDTA) grant funds within the Police Department (1st Reading 4/19/16)**

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept a grant award in the amount of \$170,815 from the Executive Office of the President, Office of National Drug Control Policy, to support the Police Department's role in the Texas Coastal Corridor Initiative in the Houston High Intensity Drug Trafficking Area (HIDTA) for the salary and benefits of a full-time program coordinator, one administrative assistant, overtime for 4 Corpus Christi Police Officers, and 4 lease vehicles; and appropriating the \$170,815 in the No. 1061 Police Grants Fund.

**Sponsors:** Police Department

10.       [16-0362](#)       **Second Reading Ordinance - Appropriating Federal grant amendment No. 2 for runway improvements at the airport (1st Reading 4/19/16)**

Ordinance appropriating \$1,000,000 from Federal Aviation Administration Grant No. 3-48-0051-049-2012 Amendment No. 2 in the No. 3020 Airport Capital Improvement Fund for projects involving Runway 18/36, Runway 13/31, taxiways, and storm water improvements, with the 10% match provided from the Airport Capital Reserve Fund; and amending the FY2015-2016 Capital Budget adopted by Ordinance No. 030621 by increasing revenues and expenditures by \$1,000,000 each.

**Sponsors:** Aviation Department

11.       [16-0308](#)       **Second Reading Ordinance - Amending City Code regarding Island Strategic Action Committee membership (1st Reading 4/19/16)**

Ordinance amending City Code of Ordinances regarding Island Strategic Action Committee membership

**Sponsors:** Assistant City Manager

12.       [16-0391](#)       **Second Reading Ordinance - Approving agreement and appropriating funds to reimburse developer for the construction of water arterial transmission and grid main line located east of Ennis Joslin Road, south of Holly Road, and north of Wooldridge Road (1st Reading 4/19/16)**

Ordinance authorizing city manager or designee to execute a water arterial transmission and grid main construction and reimbursement agreement ("Agreement") with MPM Development, L.P. ("Developer"), for the construction of a water arterial transmission and grid main line and appropriating \$104,080.31 from the No. 4030 Arterial Transmission and Grid Main Trust Fund to reimburse the Developer in accordance with the Agreement.

**Sponsors:** Development Services

**M. EXECUTIVE SESSION: (ITEMS 13 - 14)**

*PUBLIC NOTICE is given that the City Council may elect to go into executive session at any time during the meeting in order to discuss any matters listed on the agenda, when authorized by the provisions of the Open Meeting Act, Chapter 551 of the Texas Government Code, and that the City Council specifically expects to go into executive session on the following matters. If the Council elects to go into executive session regarding an agenda item, the section or sections of the Open Meetings Act authorizing the executive session will be publicly announced by the presiding officer. The City Council may deliberate and take action in open session on any issue that may be discussed in executive session. The description of an item in "Executive Sessions" constitutes the written interpretation by the City Attorney of Chapter 551 of the Texas Government Code and his determination that said item may be legally discussed in Closed Meeting in compliance with Chapter 551 the Texas Government Code.*

13. [16-0465](#) **Executive session pursuant to Texas Government Code § 551.071** for consultation with attorneys regarding collective bargaining matters and/or the collective bargaining agreements between the City of Corpus Christi and the Corpus Christi Firefighters Association.
14. [16-0387](#) **Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to industrial district agreement(s) and payments in lieu of taxes.

**N. PUBLIC HEARINGS: (NONE)**

**O. REGULAR AGENDA: (ITEMS 15 - 16)**

*The following items are motions, resolutions and ordinances that will be considered and voted on individually.*

15. [16-0164](#) **Authorizing Lease Agreement for the operation of the City Detention and Magistration Center in Wilson Plaza**

Motion to authorize City Manager, or designee, to execute a Lease Agreement, between Wilson Plaza Associates LP., for the operation of the City Detention and Magistration Center

**Sponsors:** Municipal Court Administration

16.     [16-0390](#)     **Second Reading Ordinance - Amending the Unified Development Code to improve its implementation (1st Reading 4/19/16)**

Ordinance amending the Unified Development Code by revising subsection 1.11.3 "Defined Terms", subsection 3.10.1.A "Minor Plat", table 4.4.4 "Multifamily Housing Types", tables 4.3.2, 4.4.2, 4.5.2 and 4.6.2 "Permitted Uses" for single family, multifamily, commercial, and industrial districts, respectively, table 4.5.3 "Residential Development Standards", table 4.5.4 "Nonresidential Development" standards, table 5.1.4.G "Retail Sales and Service", subsection 5.2 "Specific Standards" for game processing, subsection 5.3.2.C.1 "Fuel Pumps, Islands and Canopies", subsection 7.4.4.C "Outside Storage", subsection 8.2.3.A "Utility Easements" and subsection 3.12.1 "Applicability" for special use exceptions; providing for severance; providing for penalties; and providing for publication.

Sponsors: Development Services

P.     **FIRST READING ORDINANCES: (ITEMS 17 - 22)**

17.     [16-0227](#)     **First Reading Ordinance - Reclassifying 3 positions in the Fire Department**

Ordinance amending Ordinance No. 030620 by increasing the number of positions authorized for classification of "Battalion Chief" from ten (10) to thirteen (13) and decreasing the number of positions authorized for classification of "Fire Captain" from eighty-two (82) to seventy-nine (79).

Sponsors: Fire Department

18.     [16-0460](#)     **First Reading Ordinance - Mid-Year Budget Adjustment**

Ordinance amending current Operating Budget adopted by Ordinance No. 030620 as follows: (a) reduce General Fund revenues \$8,000,000 due to decline in sales tax, industrial district agreement payments in lieu of taxes, and municipal court revenues; (b) increase revenues in General Fund and other funds \$1,400,000 to rebate funds contributed for Municipal Information Systems, Fleet, and Development Services; (c) transfer \$312,765.83 from the General Liability Fund to various funds to rebate property insurance savings; (d) appropriate \$500,000 unreserved fund balance in Fleet Services Fund No. 5110 for Fire Department equipment and increase expenditures by \$500,000

Sponsors: Office of Management and Budget

19.     [16-0456](#)     **First Reading Ordinance - Accepting and appropriating State Homeland Security Grant funds for terrorism prevention and preparedness**

Ordinance authorizing the City Manager or designee to execute all



documents necessary to accept grants from the Governor's Homeland Security Grants Division in the amount of \$153,145.51 for the Homeland Security Grant Program; and appropriating \$153,145.51 from the Governor's Homeland Security Grants Division into the No. 1062 Fire Grants Fund to carry out homeland security projects that will significantly improve local and regional terrorism prevention, preparedness, response, and recovery capabilities.

**Sponsors:** Fire Department

**20.     [16-0398](#)     **First Reading Ordinance - Consession and Lease Agreement for shoe shine services at Corpus Christi International Airport****

Ordinance authorizing the City Manager or designee to execute a concession and lease agreement with Carl Walker DBA Whatchamacaller's Place for shoe shine services at Corpus Christi International Airport for a period of 12 months.

**Sponsors:** Aviation Department

**21.     [16-0426](#)     **First Reading Ordinance - Authorizing the sale of 112 foreclosed properties at a tax foreclosure auction****

Ordinance authorizing the sale of 112 properties, as shown on the attached and incorporated "2016 Resale Auction List", at a tax resale auction with opening bids of not less than 20% of the most recent tax appraisal value.

**Sponsors:** Financial Services Department

**22.     [16-0438](#)     **First Reading Ordinance - Change Order for Additional Professional Services For Development Services Infor Community Development Regulation (CDR) Project****

Ordinance appropriating \$250,000 from the unreserved fund balance in Development Services Fund No. 4670 for implementation of the Infor Community Development Regulation module; amending the FY 2015-2016 Operating Budget adopted by Ordinance No. 030620 to increase expenditures by \$250,000; and authorizing the City Manager or designee to execute change orders for additional consulting services related to the Infor Community Development Regulation project.

**Sponsors:** Municipal Information Systems

**Q.     **FUTURE AGENDA ITEMS: (ITEMS 23 - 24)****

*The following items are for Council's informational purposes only. No action will be taken and no public comment will be solicited.*

**23.     [16-0457](#)     **Change order for additional Professional Services In support of Infor Public Sector (IPS) - Utility Billing Project****

Motion authorizing the City Manager, or his designee, to execute a



change order to the original scope of work in support of the implementation of the Infor Public Sector (IPS) for Utility Billing in the amount of \$200,000.

**Sponsors:** Municipal Information Systems

**24.     [16-0409](#)     **Resolution authorizing outside city limit water contracts for properties in London Village Subdivision****

Resolution authorizing the City Manager or his designee to enter into outside city limits water contracts with the property owners in the London Village Subdivision to provide public water to their respective properties pursuant to Chapter 55, Article VIII, Code of Ordinances.

**Sponsors:** Development Services

**R.     ADJOURNMENT**